

AMENDED
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUN 25 2001

Returned to applicant for correction JUL 19 2001

Corrected application filed SEP 14 2001

Map filed SEP 17 2001

The applicant **Givers Gain LLC** hereby make application for permission to change the of diversion (existing well) of a portion of water heretofore appropriated under Permit No. 63238

1. The source of water is **underground**
2. The amount of water to be changed **0.035 second ft. total from both points of diversion.**
3. The water to be used for **commercial**
4. The water heretofore permitted for **commercial**
5. The water is to be diverted at the following point **within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T6S, R61E, M.D.M., Lincoln County, NV, from which point the NE corner of Section 31 bears N 14 deg 19 min 14 sec E, a distance of 1879.22 ft.**
6. The existing permitted point of diversion is located within the **SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T6S, R61E, M.D.M., Lincoln County, NV, from which point the NE corner of Section 31 bears N 30 deg 36 min 04 sec E, a distance of 2028.06 ft.**
7. Proposed place of use **same as existing**
8. Existing place of use **The SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and a portion of the NE $\frac{1}{4}$, NE $\frac{1}{4}$ of Section 31; a portion of the NW $\frac{1}{4}$, NW $\frac{1}{4}$ and a portion of the SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 32, T6S, R61e, M.D.M., Lincoln County, NV, containing 69.56 acres.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Existing second well which will be piped to existing facility storage reservoir.**
12. Estimated cost of works **\$25,000**
13. Estimated time required to construct works **Existing 8 in. cased well completed; 3 mos. required to connect well to conference center water system.**
14. Estimated time required to complete the application of water to beneficial use **1 year**
15. Remarks: **Second point of diversion is needed to supplement the first well drilled on property. The first well has insufficient capacity to serve the projected conference center population of 160.**

By **George P. Timinskas P.E.**
s/George P. Timinskas
P. O. Box 3630
Mesquite, NV 89024

Compared my/cmf ds/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 63238, is issued subject to the terms and conditions imposed in said Permit 63238, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 63238 and 67699 shall not exceed 6.205 million gallons annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.035 cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before:

February 20, 2003

Proof of completion of work shall be filed before:

March 20, 2003

Water must be placed to beneficial use on or before:

February 20, 2003

Proof of the application of water to beneficial use shall be filed on or before:

March 20, 2003

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 13th day of, March A.D. 2002

Christine Thiel
By: Deputy State Engineer, Christine Thiel, P.E.

Completion of work filed

APR 13 2005

Proof of beneficial use filed

Cultural map filed

N/A

Certificate No.

Issued

